

1-11-07

Attorney Docket No. 005618.P2977

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: William E. Webler

Art Unit: Jonathan M. Foreman

Application No. 10/027,877

Examiner: 3736

Filing Date: December 21, 2001

Title: METHOD AND APPARATUS FOR DETERMINING
INJECTION DEPTH AND TISSUE TYPE

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby request a refund of the petition fee for an extension of time for 2 months in the amount of \$900 in connection with the filing of a response to Final Office Action dated May 23, 2006 ("Final Office Action"). In accordance with MPEP § 710.02(e)(I), Applicants filed a response to the Final Office Action within 2 months from the date of mailing of the Final Office Action, or June 29, 2006. An Advisory Action, however, was not received within the 3-month shortened statutory period ("SSP"), or August 23, 2006. An Advisory Action dated October 26, 2006 was thereafter received by Applicants. Therefore, in accordance with a MPEP § 710.02(e)(I), the SSP to reply to the Final Office Action expired on the date the examiner mailed the Advisory Action, or October 26, 2006. Therefore, Applicants are only responsible for a 1-month extension of time fee, or \$120. Applicants inadvertently paid a 3-month extension of time fee in the amount of \$1020 and are therefore requesting a refund of \$900 to be credited to Deposit Account 02-2666. A duplicate copy of this sheet is enclosed.

BEST AVAILABLE COPY

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: January 11, 2007

By: 

Shelley M. Cobos

Reg. No. 56,174

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
Telephone (310) 207-3800
Facsimile (310) 820-5988

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically
via EFS Web to the United States Patent and Trademark Office on January
11, 2007


Si Vuong

BEST AVAILABLE COPY



Docket No.: 5618P2977

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

WILLIAM E. WEBLER

Application No.: 10/027,877

Filed: December 19, 2001

For: **METHOD AND APPARATUS FOR
DETERMINING INJECTION DEPTH AND
TISSUE TYPE**

Art Group: 3736

Examiner: Jonathan M. Foreman

PETITION FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F. R. § 1.136(a), Applicant for the above-identified application respectfully Petitions the Commissioner for a three (3) month extension of time, extending the period for response to November 23, 2006, from the Final Office Action dated May 23, 2006. The petition filing fee of \$1,020.00 and a Notice of Appeal with a Petition are attached. (If a check is not attached, you are hereby authorized to charge deposit account no. 02-2666.)

If it should be determined that a longer extension of time is required to prevent this application from being abandoned, please charge any additional fees to Deposit Account No. 02-2666. A copy of the Fee Transmittal is enclosed for deposit account charging purposes.

01 FC:1253

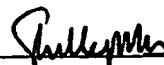
1020.00 OP

Adjustment date: 01/16/2007 SDIRETA1
11/27/2006 MBIZUNES 00000066 10027877
01 FC:1253 -1020.00 OP

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

Date: November 20, 2006


Shelley M. Cobos, Reg. No. 56,174

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Si Vuong

11-20-06

Date

01/16/2007 SDIRETA1 00000007 10027877

01 FC:1251 120.00 OP

Repln. Ref: 01/16/2007 SDIRETA1 0013312300
DAH:022666 Name/Number:10027877
FC: 9204 \$900.00 CR